

SENATE JOURNAL

EIGHTIETH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-NINTH DAY

(Thursday, April 26, 2007)

The Senate met at 11:10 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Averitt, Brimer, Carona, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Harris, Hegar, Hinojosa, Jackson, Janek, Lucio, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, Whitmire, Williams, Zaffirini.

Absent-excused: West.

The President announced that a quorum of the Senate was present.

The Reverend Jeff Hackleman, Family Faith Church, Huntsville, offered the invocation as follows:

Lord, today we bring before You this nation, the greatest in the history of mankind and, specifically, the great State of Texas. We ask that Your plans, Your purposes, and Your will be done so that Your blessings can continue to freely flow to the people of this state. I ask You to bless the men and women who represent us in this sacred place, bless their families, their business and domestic life. We pray that You would give the political and spiritual leaders of this state the wisdom to make the right decisions and the courage to make those plans a reality. Help us to leave a lasting legacy and the same solid foundations our forefathers left us to future generations. Help us to make all the right decisions for all the right reasons, and through Your grace, may we continue to build one nation under God, indivisible, with liberty and justice for all. Amen.

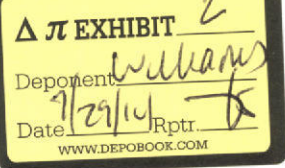
Senator Whitmire moved that the reading of the Journal of the proceedings of yesterday be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

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80th Legislature — Regular Session

49th Day

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator West was granted leave of absence for today on account of important business.

CO-AUTHOR OF SENATE BILL 127

On motion of Senator Shapleigh, Senator Hinojosa will be shown as Co-author of **SB 127**.

CO-AUTHOR OF SENATE BILL 280

On motion of Senator Gallegos, Senator Janek will be shown as Co-author of **SB 280**.

CO-AUTHORS OF SENATE BILL 1098

On motion of Senator Patrick, Senators Nelson and Uresti will be shown as Co-authors of **SB 1098**.

CO-AUTHOR OF SENATE BILL 1170

On motion of Senator Hinojosa, Senator Ellis will be shown as Co-author of **SB 1170**.

CO-AUTHOR OF SENATE BILL 1392

On motion of Senator Uresti, Senator Zaffirini will be shown as Co-author of **SB 1392**.

CO-AUTHOR OF SENATE BILL 1348

On motion of Senator Patrick, Senator Uresti will be shown as Co-author of **SB 1348**.

CO-AUTHOR OF SENATE BILL 1615

On motion of Senator Averitt, Senator Duncan will be shown as Co-author of **SB 1615**.

CO-AUTHOR OF SENATE BILL 1788

On motion of Senator Shapiro, Senator Patrick will be shown as Co-author of **SB 1788**.

CO-AUTHOR OF SENATE BILL 1855

On motion of Senator Gallegos, Senator Whitmire will be shown as Co-author of **SB 1855**.

CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 49

On motion of Senator Ellis, Senator Whitmire will be shown as Co-author of **SCR 49**.

CO-AUTHOR OF SENATE RESOLUTION 888

On motion of Senator Harris, Senator Nelson will be shown as Co-author of **SR 888**.

CO-SPONSOR OF HOUSE BILL 416

On motion of Senator Watson, Senator Deuell will be shown as Co-sponsor of **HB 416**.

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Austin, Texas
April 25, 2007

TO THE SENATE OF THE EIGHTIETH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Texas Optometry Board for terms to expire January 31, 2013:

Melvin G. Cleveland, Jr., O.D.

Arlington, Texas

(replacing Fred Farias of McAllen whose term expired)

Virginia Sosa, O.D.

Uvalde, Texas

(replacing Sharon Johnson of Arlington whose term expired)

To be the Pecos River Compact Commissioner for a term to expire January 23, 2011:

Julian W. Thrasher, Jr.

Monahans, Texas

(Mr. Thrasher is being reappointed)

To be members of the Credit Union Commission for terms to expire February 15, 2013:

Allyson Truax Morrow

San Benito, Texas

(replacing Rufino Carbajal of El Paso whose term expired)

Dale E. Kimble

Denton, Texas

(Reappointment)

Thomas Felton Butler

Deer Park, Texas

(Reappointment)

To be members of the Texas State Affordable Housing Corporation Board of Directors for terms to expire February 1, 2013:

Jo Van Hovel

Temple, Texas

Thomas A. Leeper

Huntsville, Texas

(Ms. Hovel and Mr. Leeper are being reappointed)

Respectfully submitted,

/s/Rick Perry

Governor

SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)

On motion of Senator Brimer and by unanimous consent, Senate Rule 11.13 was suspended to grant all committees permission to meet while the Senate was meeting today.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Carona and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Transportation and Homeland Security might meet and consider the following bills and resolution today: **SB 154, SB 1929, HCR 173.**

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Hegar and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Natural Resources might meet and consider the following bills tomorrow:

SB 1341, SB 1985, SB 2007, SB 2038.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 4:13 p.m. agreed to adjourn, in memory of Corporal Ray Michael Bevel of Andrews, the Honorable Billy Wayne Clayton, the Honorable R. Temple Dickson III, the Honorable Henry C. Grover, the Honorable Frank L. Madla, Jr., the Honorable James Kuykendall Wade, and the Honorable Doyle Henry Willis, Sr., upon completion of the introduction of bills and resolutions on first reading, until 10:00 a.m. tomorrow.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions received from the House were read first time and referred to the committees indicated:

HB 56 to Committee on Health and Human Services.
HB 100 to Committee on Transportation and Homeland Security.
HB 120 to Subcommittee on Higher Education.
HB 142 to Committee on Finance.
HB 185 to Committee on Criminal Justice.
HB 198 to Committee on Criminal Justice.
HB 210 to Committee on Transportation and Homeland Security.
HB 218 to Committee on State Affairs.
HB 264 to Committee on Finance.
HB 273 to Committee on Education.
HB 371 to Committee on Criminal Justice.
HB 563 to Committee on Transportation and Homeland Security.
HB 588 to Committee on Transportation and Homeland Security.
HB 589 to Subcommittee on Higher Education.
HB 681 to Committee on Criminal Justice.
HB 730 to Committee on Intergovernmental Relations.
HB 818 to Committee on Jurisprudence.
HB 892 to Committee on Intergovernmental Relations.
HB 914 to Committee on Criminal Justice.
HB 948 to Committee on Health and Human Services.
HB 1022 to Committee on Finance.

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HB 1052 to Committee on Transportation and Homeland Security.
HB 1216 to Committee on Intergovernmental Relations.
HB 1230 to Committee on Health and Human Services.
HB 1331 to Committee on Jurisprudence.
HB 1373 to Committee on Health and Human Services.
HB 1420 to Committee on Transportation and Homeland Security.
HB 1471 to Committee on Transportation and Homeland Security.
HB 1522 to Committee on Transportation and Homeland Security.
HB 1590 to Committee on State Affairs.
HB 1623 to Committee on Transportation and Homeland Security.
HB 1652 to Committee on State Affairs.
HB 1667 to Committee on Business and Commerce.
HB 1668 to Committee on Finance.
HB 1694 to Committee on Intergovernmental Relations.
HB 1739 to Committee on Health and Human Services.
HB 1768 to Committee on Intergovernmental Relations.
HB 1837 to Committee on Finance.
HB 1844 to Committee on Education.
HB 1929 to Committee on Finance.
HB 1930 to Committee on Jurisprudence.
HB 1962 to Committee on Business and Commerce.
HB 1973 to Committee on Health and Human Services.
HB 2066 to Committee on Criminal Justice.
HB 2267 to Committee on Criminal Justice.
HB 2398 to Committee on Veteran Affairs and Military Installations.
HB 2400 to Committee on State Affairs.
HB 2427 to Committee on Government Organization.
HB 2458 to Committee on Government Organization.
HB 2484 to Committee on Intergovernmental Relations.
HB 2503 to Committee on Education.
HB 2514 to Committee on Intergovernmental Relations.
HB 2590 to Committee on Transportation and Homeland Security.
HB 2708 to Committee on Business and Commerce.
HB 2931 to Committee on Natural Resources.
HB 3089 to Committee on Transportation and Homeland Security.
HB 3189 to Committee on Finance.
HB 3295 to Committee on Criminal Justice.
HB 3392 to Committee on State Affairs.
HB 3718 to Committee on Transportation and Homeland Security.
HB 3787 to Committee on Veteran Affairs and Military Installations.
HB 3972 to Committee on Jurisprudence.
HJR 54 to Committee on Finance.
HCR 70 to Committee on Administration.
HCR 159 to Committee on Education.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 886 by Seliger, In memory of Corporal Ray Michael Bevel of Andrews.

SR 890 by Uresti, In memory of Guillermo "Willie" R. Serrano.

Congratulatory Resolutions

SCR 63 by Fraser, Congratulating the Brady High School Family, Career, and Community Leaders of America Parliamentary Procedure team for earning a gold medal ranking.

SR 879 by Gallegos, Recognizing Nadine Kujawa on the occasion of her retirement from the Aldine Independent School District.

SR 880 by Gallegos, Recognizing the Houston Hispanic Chamber of Commerce on the occasion of its 30th anniversary.

SR 881 by Gallegos, Recognizing Vanessa Salgado for winning the Nestle Pure Life bottled water essay contest.

SR 887 by Harris, Congratulating the drumline of Flower Mound High School in Flower Mound for winning a national championship.

SR 888 by Harris, Congratulating the marching band of Marcus High School for winning a state championship.

SR 889 by Nichols, Recognizing W. L. "Blackie" Bilnoski on the occasion of his retirement from the Willis City Council.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 4:18 p.m. adjourned, in memory of Corporal Ray Michael Bevel of Andrews, the Honorable Billy Wayne Clayton, the Honorable R. Temple Dickson III, the Honorable Henry C. Grover, the Honorable Frank L. Madla, Jr., the Honorable James Kuykendall Wade, and the Honorable Doyle Henry Willis, Sr., until 10:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Secretary of the Senate in the order listed:

April 26, 2007

NATURAL RESOURCES — **CSSB 1950**